

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE TRONOX INCORPORATED, *et al.*,

Debtors.

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STANLEY W ALESKI, on his own behalf
and on behalf of all others similarly
situated,

Plaintiff-Appellant,

20 **CIVIL** 2128 (AKH)

-against-

JUDGMENT

MONTGOMERY, McCRACKEN,
WALKER & RHOADS, LLP, *et al.*,

Defendants-Appellees.

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It is, **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in
the Court's Summary Order dated October 28, 2020, and for the reasons stated on the record:

- (1) The District Court has jurisdiction to hear the appeal. 28 U.S.C. § 158(a).
- (2) Plaintiffs' claim against defendants for professional malpractice in the bankruptcy proceedings of Tronox, Inc. 09-10156 (MEW), U.S. Bankr. Ct., S.D.N.Y., as alleged in plaintiffs' complaint and amended complaint in the Court of Common Pleas, Lucerne County, No. 19-1087 (MEW), "arose in" the Tronox bankruptcy proceedings. 28 U.S.C. §§ 157(a), 1334(b). Thus, the action in the Pennsylvania state court was properly removed to the United States District Court for the Middle District of Pennsylvania, and the court below correctly dismissed plaintiffs' motion to remand the case to the Pennsylvania state court.
- (3) Plaintiffs' motion to remand upon grounds of mandatory and permissive abstention

was properly denied, 28 U.S.C. § 1334 (c)(1), (2).

(4) Accordingly, the order of July 18, 2019 is affirmed.

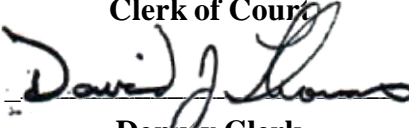
(5) Defendants' motion to dismiss the complaint as time barred was properly granted, and the order of February 21, 2020 is affirmed. The Complaint is dismissed against defendants, with costs.

Dated: New York, New York
October 28, 2020

RUBY J. KRAJICK

Clerk of Court

BY:


Deputy Clerk